

Memorandum

MIAMI-DADE
COUNTY

Date: May 21, 2014

To: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

From: Carlos A. Gimenez
Mayor

Agenda Item No. 3(A)(1)

Subject: Application No. 2 in the November 2013 Cycle Applications to Amend the Comprehensive Development Master Plan

The attached resolution addresses a Comprehensive Development Master Plan private application that under Rule 5.05(b)(1) of the Board is exempt from Commission sponsorship. The staff analysis and fiscal impact statement for this application are discussed in a separate memorandum that appears on this agenda.



Jack Osterholt
Deputy Mayor




MEMORANDUM

(Revised)

TO: Honorable Chairwoman Rebeca Sosa
and Members, Board of County Commissioners

DATE: May 21, 2014

FROM: 
R. A. Cuevas, Jr.
County Attorney

SUBJECT: Agenda Item No. 3(A)(1)

Please note any items checked.

- ☐ "3-Day Rule" for committees applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☒ Ordinance creating a new board requires detailed County Mayor's report for public hearing
- ☐ No committee review
- ☐ Applicable legislation requires more than a majority vote (i.e., 2/3's ____, 3/5's ____, unanimous ____) to approve
- ☐ Current information regarding funding source, index code and available balance, and available capacity (if debt is contemplated) required

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 3(A)(1)
5-21-14

RESOLUTION NO. _____

RESOLUTION PERTAINING TO NOVEMBER 2013 CYCLE APPLICATIONS REQUESTING AMENDMENTS TO THE COMPREHENSIVE DEVELOPMENT MASTER PLAN; INSTRUCTING THE MAYOR WHETHER OR NOT TO TRANSMIT APPLICATION NO. 2 LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF SW 224 STREET AND SW 112 AVENUE TO THE STATE LAND PLANNING AGENCY; REQUESTING STATE LAND PLANNING AGENCY TO REVIEW APPLICATION NO. 2; RESERVING THE RIGHT TO TAKE FINAL ACTION AT A LATER DATE; AND DECLARING INTENT TO CONDUCT ONE OR MORE SUBSEQUENT PUBLIC HEARINGS

WHEREAS, pursuant to Section 163, Part 2, Florida Statutes, the Comprehensive Development Master Plan (CDMP) for Miami-Dade County was adopted by the Miami-Dade Board of County Commissioners (Board) in 1988; and

WHEREAS, Section 2-116.1 of the Code of Miami-Dade County, Florida, provides procedures for amending the CDMP, which comply with the requirements of the foregoing State Statutes; and

WHEREAS, Application No. 2 was filed by a private party on or before December 2, 2013, and is contained in the document titled "November 2013 Applications to Amend the Comprehensive Development Master Plan," dated December 23, 2013; and

WHEREAS, Miami-Dade County's procedures provide for the expedited processing of small-scale amendments as defined in section 163.3187, Florida Statutes; and

WHEREAS, Application No. 2 is eligible and has requested expedited adoption as a small-scale CDMP amendment; and

WHEREAS, the Department of Regulatory and Economic Resources (Department) issued its initial recommendations addressing the November 2013 Cycle Applications in a report titled "Initial Recommendations November 2013 Applications to Amend the Comprehensive Development Master Plan", dated March 10, 2014, as required by Section 2-116.1, Code of Miami-Dade County, and may issue final recommendations on transmitted applications prior to final action by the Board; and

WHEREAS, the affected Community Council, the Planning Advisory Board, and the Department have acted in accordance with the referenced State and County procedures and have accepted applications, conducted public hearings and issued recommendations for the disposition of the small-scale CDMP amendment request; and

WHEREAS, the Board at its public hearing on May 21, 2014, elected to further consider as a standard amendment and evaluate, without prejudice, Application No. 2 filed for review and action during the November 2013 CDMP Amendment Cycle, if hereby transmitted,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that:

Section 1. The Board, having considered the following application requesting amendments to the CDMP, hereby directs the Mayor to act in accordance with the transmittal instructions set forth in this section for such application. Where the instruction is to transmit, pursuant to Section 2-116.1(3)(g), Miami-Dade County Code, the Board directs the Mayor to transmit the application to the reviewing agencies along with all other materials pursuant to Section 163.3184, Florida Statutes.

Application Number	Applicant/Representative Location and Size Requested Amendments to the CDMP Land Use Plan Map or Text	Transmittal Instruction and/or Recommended Action
2	TLG FL, LLC/Melissa Tapanes Llahues, Esq. Southwest corner of the intersection of SW 224 Street and SW 112 Avenue (±2.643 gross acres; ±1.954 net acres) <u>Requested CDMP Amendment</u> Redesignate application site on the LUP map From: "Low Density Residential" (2.5 to 6 dwelling units per gross acre) To: "Business and Office" Small-Scale Amendment	

Section 2. The Board hereby requests the reviewing agencies to review the transmitted application pursuant to Section 163.3184(3), Florida Statutes.

Section 3. The Board hereby reserves its right to take final action without prejudice at a later date to adopt, adopt with changes, or not adopt the pending application following receipt of comments by the reviewing agencies, and following one or more public hearings by this Board, all as authorized by Section 163.3184, Florida Statutes, and Section 2-116.1, Code of Miami-Dade County, Florida.

Section 4. The Board declares its intention to advertise and conduct one or more public hearings in year 2014 to address the pending November 2013 Cycle Application to amend the CDMP.

The foregoing resolution was offered by Commissioner , who moved its adoption. The motion was seconded by Commissioner and upon being put to a vote, the vote was as follows:

Rebeca Sosa, Chairwoman
Lynda Bell, Vice Chair

Bruno A. Barreiro
Jose "Pepe" Diaz
Sally A. Heyman
Jean Monestime
Sen. Javier D. Souto
Juan C. Zapata

Esteban L. Bovo, Jr.
Audrey M. Edmonson
Barbara J. Jordan
Dennis C. Moss
Xavier L. Suarez

The Chairperson thereupon declared the resolution duly passed and adopted this 21st day of May, 2014. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency.



Craig H. Collier